

**ORDINANCE NO. 2018-2**

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE,  
FLORIDA, AMENDING SECTION 4-33  
“KITEBOARDING,” RELATING TO ADDITIONAL  
KITEBOARDING REGULATIONS; PROVIDING FOR  
CODIFICATION; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CONFLICTS; AND PROVIDING FOR  
AN EFFECTIVE DATE.**

**WHEREAS**, on January 23, 2018, the Village Council of the Village of Key Biscayne (the “Village”) adopted an ordinance, which created kiteboarding regulations within the Village; and

**WHEREAS**, as a result of kiteboarding becoming a popular activity within the Village and due to the nature and methodology of launching and using such kites, the Village Council finds it necessary to further regulate kiteboarding in order to prevent injury and to protect Village residents and visitors; and

**WHEREAS**, the Village Council desires to further amend Chapter 4, “Boats, Vessels and Watercraft” of the Village’s Code of Ordinances by providing additional regulations for the activity of kiteboarding within the Village in order to protect the health, safety and welfare of its residents and visitors within the Village; and

**WHEREAS**, the Village Council finds that adoption of this Ordinance serves a legitimate governmental purpose and is in the best interest and welfare of the Village and its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS: <sup>1</sup>**

**Section 1. Recitals Adopted.** That the above-stated recitals are hereby adopted and confirmed.

**Section 2. Amending Chapter 4 of the Village Code.** That Chapter 4 of the Code of Key Biscayne, Florida is hereby amended by revising Section 4-33 “Kiteboarding,” which shall read as follows:

**Sec. 4-33. – Kiteboarding.**

- (1) Kiteboarding instruction is prohibited within the Village.

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<sup>1</sup> Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicted with **highlight**.

(2) Deployment of a Kiteboarding kite shall occur only within the Kiteboard Channel.

(3) No more than ten (10) Kiteboarding kites shall be permitted at one (1) time on the Beach within the Kiteboard Channel.

(4) All Persons must annually register with the Village Manager or designee prior to Kiteboarding within the Village. Kiteboarding shall only occur by registered Persons. The Village Council, by resolution, may charge a reasonable registration fee.

(5) Prior to registering and Kiteboarding within the Village, all Persons shall:

(a) Possess and provide proof of an UP WIND Level 3 International Kite Organization (IKO) certification or its equivalent, as determined by the Village;

(b) Provide proof of general liability insurance of not less than \$1,000,000.00 per Kiteboarding incident for bodily injury and property damage. This liability insurance shall also include medical and dental coverage; and

(c) Review the Village's Kiteboarding rules and sign an acknowledgement agreeing to adhere to such rules.

(6) All Persons Kiteboarding within the Village shall have a Village-issued kite streamer. The Village shall issue a kite streamer to each registered Person. No Person shall permit another Person to utilize their Village- issued kite streamer. All Persons shall attach the Village-issued kite streamer to his or her harness while Kiteboarding.

(7) Kiteboarding shall be prohibited during the following holiday weekends: Memorial Day, Independence Day and Labor Day.

(8) The Village Manager may establish temporary restrictions on Kiteboarding due to holidays, weather conditions or Beach overcrowding.

(9) When not in use and outside the Kiteboarding Channel all kiteboarding equipment shall be contained within a bag.

**Section 3. Codification.** That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village

Code, that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

**Section 4. Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 5. Conflicts.** All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall become effective immediately after adoption on second reading.

**PASSED** on first reading this 13<sup>th</sup> day of February, 2018.

**PASSED AND ADOPTED** on second reading this 6<sup>th</sup> day of March, 2018.

  
MAYOR MAYRA PEÑA LINDSAY

ATTEST:

  
JENNIFER MEDINA, CMC  
VILLAGE CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
VILLAGE ATTORNEY



## COURTS

# Opa-locka politician sentenced to 4 years in corruption probe

BY JAY WEAVER  
jweaver@miamiherald.com

Luis Santiago, a former Opa-locka commissioner who pleaded guilty to a bribery charge in a sprawling federal extortion investigation, has been sentenced to more than four years in prison after providing inside information to authorities about an influential lobbyist and other

targets of the probe.

A year ago, Santiago admitted accepting tens of thousands of dollars in bribes from local businessmen in need of permits who were working undercover for the FBI, and sharing that cash with other Opa-locka officials, including a former city manager now imprisoned.

Santiago's sentencing on Thursday was initially set for last March, but he cut a

plea deal on a single bribery conspiracy charge and ever since has secretly helped federal agents and the U.S. attorney's office build their investigation against lobbyist Dante Starks, who is close to Mayor Myra Taylor. Neither Starks nor the mayor could be reached for comment Friday.

Santiago, 56, could eventually obtain less time in prison if federal prosecutors

recommmend a reduction for his "substantial assistance" in the corruption probe to U.S. District Judge Kathleen Williams, who imposed a 51-month sentence. In a court filing, Assistant U.S. Attorney Edward Stamm said that "once his cooperation is completed, the government will evaluate it in its entirety and will make a final decision on the matter."

Santiago's defense attorney, Roderick Vereen, obtained a delay in his client's surrender to prison authorities because of his ongoing assistance. The former commissioner is scheduled to start his prison term on Aug. 23.

A longtime Opa-locka activist who has confronted the city's political leaders throughout the FBI's five-year corruption probe said Santiago's sentencing sends an uplifting message to the community.

"This is just the start. The City of Opa-locka is no longer a City for Sale,"

Natasha Ervin wrote in an email to the Miami Herald on Friday. "It's now a city that will put you in jail. Our residents deserve so much better. We elect people to make a difference, not to make a profit for themselves."

Santiago, who was elected to the commission in 2012 but was defeated four years later, admitted in his guilty plea last January that he plotted with other top officials and employees to

undercover businessmen. A restitution hearing is set for May 22.

Santiago was the fourth defendant to plead guilty in the long-running FBI probe of Opa-locka City Hall corruption. Santiago lost his city commission seat after a series of Miami Herald stories reported that he was the main target of the probe of an extortion scheme involving payoffs for official favors. The one-term commissioner, who surrendered to FBI agents in late December 2016 on the bribery charge, is the only politician to be convicted so far.

The other three defendants who have pleaded guilty in the Opa-locka case are: former City Manager David Chiverton, who was sentenced to three years in prison; ex-Public Works supervisor Gregory Harris, who received a three-year probationary sentence; and Demetrius Corleone Taylor, the son of Opa-locka Mayor Myra Taylor, who was sentenced to 10 months.

Their convictions coincided with serious financial troubles in Opa-locka, one of the poorest cities in Miami-Dade County. Since June 2016, the city has been under the control of a state oversight board that must approve all spending by the five-member commission because of a financial emergency.

Santiago, perhaps best known around Opa-locka for sponsoring bingo nights and raising money for the city's Fourth of July celebration, was once a key member of the commission because of his alliance with Mayor Taylor.

Santiago, who repairs and sells cars for a living, was accused of extorting five local businesses for thousands of dollars in exchange for helping them obtain permits, licenses and water connections between March 2014 and March 2016, when federal agents raided City Hall.

Prosecutors said Santiago directed city officials to shake down those businesses, including three business owners who worked undercover for the FBI and recorded the illicit transactions. Tens of thousands in payoffs were made to Santiago and at least two other officials in parking lots, a City Hall bathroom, a restaurant and the former commissioner's home, according to Stamm, the prosecutor who filed the bribery charge.

Here's how the alleged bribery scheme worked: In exchange for illegal payments, Santiago directed Chiverton, Harris, and other Opa-locka employees to assist local businesses by issuing occupational licenses, settling code enforcement liens, restoring water service and handling zoning matters, according to the charging document.

"Santiago would make payments to Chiverton, and Santiago also would direct the paying businesses and individuals to make payments to Chiverton in exchange for the official actions taken on their behalf," according to the document.

Among the FBI informants who paid off Santiago after he extorted them are Frank Zambrana, who operated a heavy equipment business, and Francisco Pujol, who owns a tire recycling operation. Both businessmen detailed to the Herald how Santiago, Chiverton, Harris and Demetrius Corleone Taylor, who worked for the city's garbage contractor, pressured them to pay thousands in bribes so they could obtain licenses that officially should have cost hundreds of dollars.

Many of the illicit transactions in the sting operation were recorded by the undercover operators.

Jay Weaver: 305-376-3446, @jayweaver



Consolato Generale d'Italia - Consulate General of Italy  
Miami

## ELEZIONI PER IL RINNOVO DEL PARLAMENTO ITALIANO - 4 MARZO 2018

Si informa che ai cittadini italiani elettori residenti all'estero ed iscritti nell'AIRE e agli elettori temporaneamente all'estero (legge 459/2001) è stato inviato, al loro indirizzo, un plico contenente il materiale per votare per corrispondenza.

Per l'espressione del voto e la restituzione della scheda elettorale occorre seguire attentamente le istruzioni presenti nel foglio informativo contenuto nel plico e spedire immediatamente per posta la busta già affrancata, in modo che arrivi all'Ufficio consolare di riferimento entro - e non oltre - le ore 16:00 (ora locale) del 1° marzo 2018.

L'elettore che alla data del 18 febbraio 2018 non avesse ancora ricevuto il plico elettorale potrà rivolgersi all'Ufficio consolare di riferimento per richiederne un duplicato.

## ELECTIONS FOR THE RENEWAL OF THE ITALIAN PARLIAMENT - MARCH 4, 2018

Please be advised that electoral packages have been sent to Italian citizens voting abroad (and registered with the Registry for Italians who reside abroad - AIRE), and to voters temporarily abroad (as per Law 459/2001), at their addresses.

Voters must comply with the instructions provided in the electoral package to complete and return ballots which they must then mail promptly, in the postage-paid envelope provided, in order to ensure delivery to the Consular Office no later than 4:00 PM (local time) March 1st, 2018.

Voters who have not received their electoral package by February 18, 2018 may request a duplicate to the Consular Office competent for the jurisdiction they reside in.

<http://www.consmiami.esteri.it/>

## Village of Key Biscayne

Office of the Village Clerk

## PUBLIC NOTICE

Notice is hereby given that the following ordinance will be considered on Second Reading by the Village Council of the Village of Key Biscayne at a meeting to be held on Tuesday, March 6, 2018 at 7:00 p.m., in the Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 4-33 "KITEBOARDING," RELATING TO ADDITIONAL KITEBOARDING REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed Ordinance may be inspected by the public at the Office of the Village Clerk. Interested parties may appear at the Public Hearing and be heard with respect to the proposed Ordinances. Any person wishing to address the Village Council on any item at this Public Hearing is asked to register with the Village Clerk prior to that item being heard.

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149, telephone number (305) 365-5506, not later than two business days prior to such proceeding.

Should any person desire to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

Comments of any interested party relative to this matter may be submitted in writing and or presented in person at the public hearing.

Jennifer Medina, CMC  
Village Clerk

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